

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Civil Action No. 5:22-cv-05055-JFM
)	
INHANCE TECHNOLOGIES, LLC,)	
)	
<i>Defendant.</i>)	

PROPOSED
ORDER

AND NOW, this ____ day of _____, 2023, upon consideration of the Motion for Summary Judgment and Injunctive Relief filed by intervenor-plaintiffs Public Employees for Environmental Responsibility, Center for Environmental Health and Jay De La Rosa and the responses thereto,

IT IS HEREBY ORDERED that intervenor-plaintiffs’ motion is **GRANTED**.

IT IS FURTHER ORDERED that judgment is **GRANTED** in favor of intervenor-plaintiffs and against defendant Inhance Technologies LLC on (1) intervenor-plaintiffs’ claims under sections 17 and 20 of the Toxic Substances Control Act (“TSCA”), 15 U.S.C. §§ 2616 and 2619, that defendant is violating section 15(1) of TSCA, 15 U.S.C. § 2614(1), as a result of its past and continuing failure or refusal to comply with section 5(a) of TSCA, 15 U.S.C. § 2604(a), and 40 C.F.R. § 721.10536; and (2) intervenor-plaintiffs’ claims that an injunction to

restrain and prevent these ongoing violations is warranted under sections 17 and 20 of TSCA, 15 U.S.C. §§ 2616 and 2619.

IT IS FURTHER ORDERED that defendant Inhance is hereby directed to (1) immediately cease producing and processing Long-Chain Perfluoroalkyl Carboxylate (“LCPFAC”) substances during the fluorination of plastic containers; (2) immediately cease distributing in commerce fluorinated containers in which LCPFAC substances are present; and (3) immediately inform all prior recipients of fluorinated containers that processing of these containers is a violation of section 5(a) of TSCA and should be discontinued as soon as is practicable.

IT IS FURTHER ORDERED that the Court will retain jurisdiction to oversee implementation of this Order and consider any modifications of the Order that may be warranted as a result of actions by the Environmental Protection Agency in response to significant new use notices for LCPFAC substances submitted by defendant Inhance and other relevant developments.

BY THE COURT:

HONORABLE JOHN F. MURPHY
United States District Judge